

REMARKS

This application was filed with the United States Patent and Trademark Office under 37 C.F.R. § 1.53(b) with original claims 30-45. In Applicants' Response to Restriction Requirement filed on June 11, 2004 claims 30-36 and 44 (Group I: directed to a composition) were canceled and claims 37-43 and 45 (Group II: directed to a method of treating pain) were elected. As a result of the Response to Restriction Requirement submitted, Applicants have now received a Notice of Non-Compliant Amendment that indicates that a complete listing of all claims is not present.

In response, it is respectfully submitted that the Response to Restriction Requirement was in compliance as a complete listing of claims was present. Claims 1-29 were not listed as cancelled as they were never of record in the application and therefore it would be incorrect to list them as canceled. However, in order to expedite the prosecution of this case, a new listing of claims has been presented, indicating that claims 1-36 are cancelled.

This Response is being submitted withing 30 (thirty) days from the mailing date of the Notice of Non-Compliant Amendment. Accordingly, it is believed that no fee is due for this submission. If it is determined that any fees are due, the Examiner is authorized to charge said fees to Attorney Deposit Account No. 50-0552.

Respectfully submitted,
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